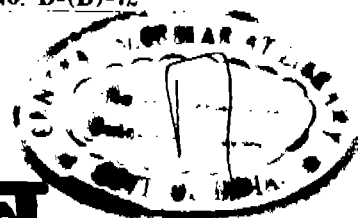




# भारत का राजपत्र The Gazette of India



असाधारण  
EXTRAORDINARY

भाग II—खण्ड 2  
PART II—Section 2

प्रतिधिकार से प्रकाशित  
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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed  
as a separate compilation

## LOK SABHA

The following Bill was introduced in Lok Sabha on the 9th March, 1978:—

BILL No. 31 OF 1978

A BILL to amend the Passports Act, 1967

BE it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows:—

1. This Act may be called the Passports (Amendment) Act, 1978. Short title.
2. In section 5 of the Passports Act, 1967 (hereinafter referred to as the principal Act),— Amendment of section 5.
  - (a) for sub-section (1), the following sub-sections shall be substituted, namely:—

‘(1) An application for the issue of a passport under this Act for visiting such foreign country or countries (not being a named foreign country) as may be specified in the application may be made to the passport authority and shall be accompanied by a fee of rupees fifty.

*Explanation.*—In this section, “named foreign country” means such foreign country as the Central Government may, by rules made under this Act, specify in this behalf.

## (1A) An application for the issue of—

(i) a passport under this Act for visiting a named foreign country; or

(ii) a travel document under this Act, for visiting such foreign country or countries (including a named foreign country) as may be specified in the application or for an endorsement on the passport or travel document referred to in this section,

may be made to the passport authority and shall be accompanied by such fee (if any) not exceeding rupees fifty, as may be prescribed.

(1B) Every application under this section shall be in such form and contain such particulars as may be prescribed.;

(b) in sub-section (2), in the opening paragraph, after the words "an application", the words "under this section" shall be inserted.

Amendment of section 13.

3. In section 13 of the principal Act, in sub-section (2), for the words and figures "section 61 of the Code of Criminal Procedure, 1898", the words and figures "section 57 of the Code of Criminal Procedure, 1973" shall be substituted.

5 of 1898.  
2 of 1974.

Amendment of section 14.

4. In section 14 of the principal Act, in sub-section (2), for the words and figures "Code of Criminal Procedure, 1898", the words and figures "Code of Criminal Procedure, 1973" shall be substituted.

5 of 1898.  
2 of 1974.

Amendment of section 23.

5. In section 23 of the principal Act,—

(a) the words and figures "the Foreign Exchange Regulation Act, 1947" shall be omitted;

7 of 1947.

(b) after the words, brackets and figures "the Foreigners Law (Application and Amendment) Act, 1962", the words and figures "the Foreign Exchange Regulation Act, 1973" shall be inserted.

42 of 1962.  
46 of 1973.

Amendment of section 24.

6. In section 24 of the principal Act,—

(a) in sub-section (2),—

(i) after clause (e), the following clause shall be inserted, namely:—

"(ee) specifying the foreign country for the purposes of the *Explanation* to sub-section (1) of section 5;";

(ii) in clause (f), for the words "issue or renewal of a passport", the words, brackets, figures and letter "issue or renewal of a passport for visiting a foreign country referred to in sub-section (1A) of section 5" shall be substituted;

(b) in sub-section (3), for the words "in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the words "in two or

more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.

7. Where any application for the issue or renewal of a passport is made to the passport authority on or after the date of introduction of the Passports (Amendment) Bill, 1978 in Parliament but before the date on which the Bill as passed by the Houses of Parliament receives the assent of the President, the applicant shall be required as from the commencement of this Act to pay in respect of such application the difference between the fee payable under section 5 of the principal Act, as amended by this Act and the amount already paid by him towards fee under the said section as it stood immediately before such amendment.

Transi-  
tional  
provi-  
sion.

## STATEMENT OF OBJECTS AND REASONS

Section 5(1) of the Passports Act, 1967 provides that all applications for the issue of a passport shall be in such form, contain such particulars and be accompanied by such fee (if any) not exceeding rupees twenty-five as may be prescribed. Presently, the fee payable in respect of a passport (valid for five years from the date of issue) is rupees twenty-five, being the maximum prescribed under the Act.

From 1st June, 1960 until December 1971, the fee for an ordinary passport remained unchanged at rupees fifteen. The passports were then valid for only three years. The fee was revised from 1st December, 1971 to rupees twenty-five and at the same time, the period of validity of the passport was increased from three to five years. Thus, since 1st June, 1960, for a period of seventeen and a half years, the fee has remained constant at rupees five per annum.

The cost of providing passport services in India has gone up in these years owing not only to increases in salaries and allowances of the personnel employed in Passport Offices but also due to the increase in accommodation charges and increase in the cost of equipment and services which the Passport Offices need. Similarly, the cost of providing passport services abroad has also increased sharply owing to inflation in foreign countries. The fee fixed under the Passports Rules, 1967 is charged from every Indian citizen whether the application is made in India or abroad.

At present, there are nine Regional Passport Offices. Of these, some cover more than one State and very large areas. For example, the Regional Passport Office in Delhi covers Jammu and Kashmir, Delhi and Rajasthan, the Office in Lucknow covers Uttar Pradesh and Madhya Pradesh, the Office in Calcutta covers West Bengal, Orissa and all the north-eastern States, and the Madras Office covers both Tamil Nadu and Karnataka. In order to provide a better service to the public in the States which do not have a Passport Office, it would be necessary to open more Regional Passport Offices.

For the above reasons, it is considered necessary to increase the fee in respect of a passport for visiting foreign countries, other than a foreign country to be specified by rules, from rupees twenty-five to rupees fifty and the fee thus increased will also cover the postal charges for despatching the passport by registered post to the applicant. In respect of a passport for visiting a foreign country to be specified by rules, the fee will be at such rate not exceeding the maximum mentioned in the legislation.

It is also proposed to specify that a person who makes an application on or after the date of introduction of the Bill in Parliament for the issue or renewal of a passport will be required to pay, after the Bill

becomes law, the difference between the fee as approved in the legislation and the fee already paid by him.

Opportunity is being taken to amend the relevant sections in the Act—

(a) to make references to the Code of Criminal Procedure, 1973 and the Foreign Exchange Regulation Act, 1973 since the earlier laws on the subject have been repealed; and

(b) for modifying the rule laying formula to bring it in conformity with the recommendation of the Committee on Subordinate Legislation.

The Bill seeks to achieve the above objects.

NEW DELHI;

ATAL BIHARI VAJPAYEE.

*The 24th February, 1978.*

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6 seeks to amend section 24 of the Passports Act, 1967 relating to rule-making powers of the Central Government to specify by rules the foreign country for the purposes of the *Explanation* to subsection (1) of section 5 and the amount of fee payable in respect of an application for a passport or travel document. This is a matter of detail and as such the delegation of power is of a normal character.

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AVTAR SINGH RIKHY,  
*Secretary.*